



Entered on Docket  
August 24, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

**LEWIS AND ROCA LLP**

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*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

**USA COMMERCIAL MORTGAGE  
COMPANY,**

Debtor.

Case No. BK-S-06-10725-LBR  
Chapter 11

**Order Sustaining Seventh Omnibus  
Objection Of USACM Trust To Proofs Of  
Claim Based In Whole or In Part Upon  
Investment In The Mountain House Loan**

Hearing Date: July 26, 2011  
Hearing Time: 1:30 p.m.

The Court having considered the "Seventh Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment in The Mountain House Loan." ("Mountain House Loan") [DE 8553] (the "Objection"); the Court having heard the Objection on July 26, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed on Exhibit A does not affect the direct lenders' right to

1 repayment by the borrower or from the collateral securing the Mountain House Loan; and  
2 good cause appearing:

3 **IT IS ORDERED** that:

- 4 1. The Objection [DE 8553] is sustained; and  
5 2. The claims listed on **Exhibit A** attached are disallowed to the extent those  
6 claims are based upon an investment in the Mountain House Loan.

7  
8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9 **LEWIS AND ROCA LLP**

10  
11 By /s/ John Hinderaker (AZ #018024)

12 Robert M. Charles, Jr.

13 John Hinderaker (*pro hac vice*)

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## LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

\_\_\_\_\_ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

\_\_\_\_\_ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: \_\_\_\_\_

\_\_\_\_\_ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:  
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)  
Attorneys for USACM Liquidating Trust

# # #

**USACM Trust  
Mountain House  
Multiple Loan Claims**

<b>Claim</b>	<b>Date Claim was Filed</b>	<b>Name</b>	<b>Address</b>	<b>Total Claim Amount</b>	<b>Approximate Amount Subject to Objection Because it Relates to an Investment In the Mountain House Business Park Loan</b>
10725-01865	12/11/2006	Oosthuizen, Adrian Jr	5860 Lausanne Dr Reno, NV 89511	2,711,295.30	100,000.00
10725-00494	12/11/2006	RNR Living Trust Dtd 10/1/04	C/O Robert & Renee Levy Trustees 2115 Bensley St Henderson, NV 89044-0155	200,000.00	50,000.00
10725-02090	12/11/2006	Robert William Ulm IRA	Pensco Trust Company Custodian 414 Morning Glory Rd St Marys, GA 31558	1,415,506.00	75,000.00
10725-01214	12/11/2006	Rulon, Phillip	3310 W. Hidden Valley Drive Reno, NV 89502-9579	503,479.62	100,000.00
10725-02149	12/11/2006	Schnitzer Living Trust Dtd 10/24/91	Arthur F & Linn S Schnitzer Ttees 20155 Ne 38Th Ct #1604 Aventura, FL 33180	3,549,806.80	100,000.00
10725-02135	12/11/2006	Schoonover Family Trust Dated 2/23/04	Edward L & Susan A Schoonover Co- Ttees 2841 S. Alderwood Circle Mesa, AZ 85212-2930	269,449.00	50,000.00
10725-01581	12/11/2006	Teeter Ira Rollover, Louise	5301 Beethoven Street, Suite 160 Los Angeles, CA 90066	197,814.00	12,500.00
10725-00603	12/11/2006	Teriano, Fred	Po Box 96331 Las Vegas, NV 89193-6331	165,000.00	40,000.00
10725-00001	12/11/2006	Trujillo, Carlos A	2818 Horseshoe Dr Las Vegas, NV 89120-3338	240,000.00	120,000.00
10725-02089	12/11/2006	Ulm, Robert W	414 Morning Glory Rd St Marys, GA 31558	Contingent/ Unliquidated	Contingent/ Unliquidated

**EXHIBIT A**

2409553.1